**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.148 of 2007**

**Dated:02.04.2007**

**Between:**

Yedida Yesu Babu and others.

…Petitioners

and

The Executive Officer and others.

…Respondents

**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.148 of 2007**

**ORDER:**

The petitioners, who are twelve in number, filed the instant Writ Petition seeking a writ of mandamus declaring the action of the respondents in proposing to conduct auction on 02.01.2007 in respect of the leasehold rights for the land admeasuring Acs.9.62 cents in Survey No.691 situated at Pithapuram Village and Mandal in East Godavari District.

It is the case of the petitioners that the land originally belong to Sri Venu Gopala Swamy vari Devasthanam, first respondent herein, who leased out the land in favour of Scheduled Caste Cooperative Society Limited. The petitioners also allege that the third respondent in turn entered into an agreement with the petitioners and gave the land for cultivation. However, the first respondent is conducting auction ignoring the lease granted in favour of the third respondent.

When the matter was initially listed before this Court on 18.01.2007, this Court noticed that the alleged lease agreement by the first respondent in favour of the third respondent is not annexed. Therefore, the matter was adjourned to enable the learned Counsel for the petitioners to produce the copies of the documents. On 29.01.2007 again the matter was adjourned, as the copies of the documents were not produced. Today, the learned Counsel for the petitioners fairly submits that there is no such agreement between the petitioners and the third respondent.

Learned Counsel for the first respondent submits that in spite of giving

number of notices, the third respondent did not enter into agreement. She also denies the allegation that the petitioners were given the lease. Therefore, the remedy of the petitioners is to approach the third respondent for necessary redressal. In this Writ Petition no relief can be granted.

The Writ petition is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

02.04.2007
vs